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S E C R E T SECTION 01 OF 05 GENEVA 002685

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SUBJECT: JCIC-XXVII: (U) HEADS OF DELEGATION MEETING ON
RSM-56 ATTRIBUTION AND SS-25 ELIMINATION, NOVEMBER 1, 2005

REF: GENEVA 2682 (JCIC-XXVII-034)

Classified By: Jerry A. Taylor, U.S. Representative to
the Joint Compliance and Inspection Commission (JCIC).
Reasons: 1.4 (b) and (d).

1. (U) This is JCIC-XXVII-037.
2. (U) Meeting Date: November 1, 2005
Time: 3:30 - 5:00 P.M.
Place: Russian Mission, Geneva

SUMMARY

3. (S) A Heads of Delegation (HOD) meeting was held at the Russian Mission on November 1, 2005, to discuss warhead and throw-weight attribution for the RSM-56 SLBM, as well as U.S. concerns with Russia's SS-25 ICBM elimination procedures. The U.S. Delegation stated that Russia had been obligated to notify warhead attribution prior to deploying and flight-testing the RSM-56, and requested that Russia provide the attributed number of warheads or indicate when and how attribution would be determined. Russia was urged to begin discussions now in the JCIC to determine the procedures for establishing the accountable throw-weight under the Thirty-Second Agreed Statement. Russia also was requested to provide a maximum calculated throw-weight as soon as possible. The Russian Delegation said it would respond in due time.

4. (S) The U.S. Delegation summarized the recent formal U.S. review and legal analysis of Russia's SS-25 ICBM elimination procedures. The United States had concluded that the guidance and control section, which Russia did not eliminate, was part of the self-contained dispensing mechanism (SCDM). The United States does not consider the 11 SS-25 ICBMs presented for elimination during inspections conducted in April and August of 2005 to have been eliminated because the entire SCDM was not eliminated. Russia was urged to bring its SS-25 elimination procedures into compliance with the Treaty by eliminating the airframe for the forward section of the SCDM or by developing alternative Treaty-compliant procedures. The Russian Delegation said it hoped to be able to provide a written response through diplomatic channels.

RSM-56 SLBM THROW-WEIGHT
AND WARHEAD ATTRIBUTION

5. (S) Taylor began the meeting and stated that the United States believes that Russia should be prepared to provide additional information about the RSM-56 SLBM now that it has been deployed and flight-tested from a submarine. Although the Parties worked hard to bring the RSM-56 canisterized SLBM under the Treaty, Russia has, in effect, removed it from the Treaty's provisions by deploying and flight-testing it without making the Treaty-required declarations for the number of warheads attributed and throw-weight.

6. (S) As the RSM-56 is a deployed missile, Taylor said Russia has an obligation not to deploy or flight-test it with more RVs than the attributed number of warheads. The United States has the corresponding right to verify compliance with this obligation. Without warhead attribution, these important obligations and verification rights had been rendered meaningless. As Russia had an obligation to notify warhead attribution prior to deployment or flight-testing, the United States requested that Russia identify the number of warheads attributed to the RSM-56 or inform the U.S. how and when warhead attribution will be determined.

7. (S) Taylor reminded the Russians that the Parties must also agree on procedures for establishing the throw-weight accountability of the RSM-56 according to the Thirty-Second

Agreed Statement. Now that the missile has been flight-tested, the United States believes it is possible to do so. Those discussions should begin now in the JCIC, with the goal of reaching agreement as soon as practicable.

18. (S) Taylor observed that Russia was required to provide a notification concerning throw-weight not later than five days after the RSM-56 became subject to Treaty limitations. There are no exceptions for missiles that skip the prototype phase. The United States believes that Russia should have been able to provide a "maximum calculated throw-weight" without conducting a flight-test. The U.S. Delegation requested that Russia provide this data as soon as possible.

19. (S) Boryak reiterated that the RSM-56 was being developed in a manner that had not been envisioned by the Treaty drafters. He said Russia is committed to bringing the RSM-56 development efforts under the Treaty, and that the previous JCIC deliberations on this topic had anticipated all of the issues that the United States just raised. The Russian Delegation will study all of the U.S. questions carefully and respond in due time.

U.S. RESPONSE ON SS-25
ELIMINATION PROCEDURES

10. (S) Taylor responded to the Russian Delegation's earlier remarks concerning problems with SS-25 ICBM elimination inspections (REFTEL) by summarizing the recent formal U.S. review and legal analysis of the issue.

11. (S) In response to the Russian Delegation's assertion that Russia had never considered the guidance and control section to be part of the SCDM, Taylor explained why the United States believes it is part of the SCDM. Applying the Treaty definitions of "SCDM" and "front section" to the SS-25, the United States concluded that the SCDM extends from the top of the third stage interstage skirt to the beginning of the front section. The forward portion of the SCDM separates from the final stage with the front section and, by controlling the maneuvering rockets and providing guidance, contributes to independently targeting a reentry vehicle. During the START negotiations, the Soviet Delegation stated that the SCDM included the instrument compartment as well as the fuel and oxidizer compartment. The Soviet Union exhibited both portions of the SCDM during the SS-25 technical characteristics exhibition, as can be seen in an exhibition photograph.

12. (S) In response to Russia's claim that it has a Treaty right to retain the guidance and control sections, Taylor stated the U.S. view that the Conversion or Elimination Protocol requires the entire SCDM to be eliminated for mobile ICBMs. Russia was allowed to remove guidance and control devices from the SCDM prior to its elimination, but the entire airframe of the SCDM, including the portion containing the guidance and control system, must be eliminated. During the START negotiations, the Soviet Delegation stated that the airframe would be presented for elimination after the electronics elements were removed. Prior to the April 2005 elimination inspection at Votkinsk, Russia had not indicated a different view.

13. (S) Taylor stated that the United States does not consider the 11 SS-25 ICBMs presented for elimination in April and August of 2005 to have been eliminated because the entire SCDM was not eliminated. He urged Russia to bring its SS-25 elimination procedures into compliance with Section I of the Conversion or Elimination Protocol during future inspections by eliminating the airframe for the forward section of the SCDM, or that Russia develop alternative Treaty-compliant procedures.

14. (S) Boryak replied that the Russian Delegation would carefully study the U.S. remarks and requested a written copy. He hoped Russia would be able to provide a written response through diplomatic channels. The U.S. Delegation provided the points on SS-25 the following day.

15. (S) Begin text (U.S. Points on SS-25 Elimination):

JCIC-XXVII
U.S. Non-paper
November 1, 2005

SS-25 ELIMINATION PROCEDURES

- During the SS-25 elimination inspections conducted in April and August 2005, the United States raised concerns regarding Russia's failure to comply with the requirements of subparagraph 4(c) of Section I of the Conversion or Elimination Protocol by not presenting the entire self-contained dispensing mechanism (SCDM) for elimination.
- Specifically, only the rear portion of the missile SCDMs

were presented for elimination. The entire forward portion of each of the SCDMs had been removed prior to the arrival of the inspectors.

- During the first part of JCIC-XXVII, the Russian Delegation stated that, since the electronic components of the guidance and control system were assembled into a "unified component," this section in its entirety could be removed from the SCDM, in accordance with subparagraph 2(b) of Section I of the Conversion or Elimination Protocol, prior to the elimination inspection.

- The Russian Delegation further stated that the excluded element "had never been considered a part of the SCDM by Russia."

- Subsequent to these discussions, the United States completed a formal review of this issue, including an in-depth legal analysis.

- A summary of that review is provided below.

- First, applying the Treaty definitions of "SCDM" and "front section" to the SS-25 ICBM we concluded that the SS-25 SCDM extends from the top of the third stage interstage skirt to the beginning of the front section.

- Our review also noted that the forward portion of the SCDM separates from the final stage of an SS-25 ICBM with the front section, and, by controlling the maneuvering rockets and providing guidance, contributes to independently targeting a reentry vehicle.

- In reviewing the negotiating record, we noted that during START negotiations, the Soviet Delegation stated that the SCDM was understood by the Soviet side to include the instrument compartment as well as the fuel and oxidizer compartment.

- In addition, the Soviet Union exhibited both portions of the SCDM during the technical characteristics exhibition for the SS-25 ICBM, as seen in the photograph taken during the exhibition at Balabanovo in October 1991.

- Therefore, the United States believes that the forward portion of the airframe of the SCDM is clearly part of the SCDM.

- With respect to the SCDM's elimination, subparagraph 4(c) of Section I of the Conversion or Elimination Protocol requires the entire SCDM for mobile ICBMs be eliminated, except for "electronic and electromechanical devices of the missile's guidance and control system," which may be removed from the missile.

- In our review of the negotiating record for subparagraph 2(b) of Section I of the Conversion or Elimination Protocol, we noted that the Soviet Delegation stated that the airframe would be presented for elimination after the electronics guidance elements were removed.

- Prior to the April inspection at Votkinsk, there had never been any indication from the Russian Federation that the SCDM was anything other than what Soviet negotiators had described during the negotiations.

- Accordingly, the United States believes that the SS-25 ICBM elimination procedures which Russia used at Votkinsk in April and August 2005 do not comply with the requirements of paragraph 4(c) of Section I of the C or E Protocol, and the United States does not consider the 11 SS-25 ICBMs presented for elimination during these inspections to have been eliminated under START.

- We agree that Russia may remove guidance and control devices from the SCDM of SS-25 ICBMs prior to its elimination. However, the airframe of the SCDM, which includes the airframe containing the guidance and control section, must be eliminated in order for these ICBMs, and all SS-25 ICBMs presented during future elimination inspections, to be considered eliminated.

- The United States urges Russia to bring its SS-25 ICBM elimination procedures into compliance with Section I of the Conversion or Elimination Protocol during future inspections by eliminating the airframe for the forward section of the SCDM, or that Russia develop alternative Treaty-compliant procedures.

- The United States is prepared to work with Russia to resolve the issue of SS-25 ICBM elimination procedures, including eliminating the airframes for the missing forward sections of the SCDMs of the first 11 SS-25 ICBMs that were presented for elimination at Votkinsk.

- The U.S. Delegation is prepared to consider any proposals

or additional information that Russia wishes to provide regarding its SS-25 ICBM elimination procedures.

End text.

¶16. (U) Documents exchanged.

- U.S.:

-- U.S. Non-paper on Points on SS-25 Elimination Procedures, dated November 1, 2005.

¶17. (U) Participants:

U.S.

Mr. Taylor
Mr. Mullins
Mr. Buttrick
Lt Col Deihl
Mr. Dunn
LCDR Feliciano
Mr. Fortier
Mr. Hay
Mr. Johnston
Ms. Kottmyer
Mr. Kuehne
Maj Mitchner
Col Rumohr
Mr. Singer
Dr. Zimmerman
Mr. Hopkins (Int)

Belarus

Mr. Grinevich

Kazakhstan

Mr. Baisuanov

Russia

Mr. Boryak
Col Yegorov
Gen Maj Artyukhin
Col Fedorchenko
Mr. Istratov
Amb. Masterkov
Mr. Mezheny
Lt Col Novikov
Mr. Smirnov
Ms. Sorokina
Mr. Venevtsev
Ms. Vodopolova
Col Zaytsev
Mr. Gusev (Int)

Ukraine

Dr. Shevtsov
Col Taran

¶18. (U) Taylor sends.
Moley